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82D CONGRESS }
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SENATE

{ REPORT
No. 1878

SISTER ODILIA, ALSO KNOWN AS MARIA HUTTER

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1716]

The Committee on the Judiciary, to which was referred the bill (S. 1716) for the relief of Sister Odilia, also known as Maria Hutter, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Sister Odilia, also known as Maria Hutter. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

STATEMENT OF FACTS

The beneficiary of the bill is a 38-year-old native and citizen of Austria who last arrived in the United States as a visitor on January 27, 1949. She is a nun attached to the Order of the Sisters of the Divine Saviour and is presently stationed at the Divine Saviour Hospital in Portage, Wis.

A letter, with attached memorandum, dated April 23, 1952, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to the case reads as follows:

APRIL 23, 1952.

Hon. PAT McCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 1716) for the relief of Sister Odilia, also known as Maria Hutter, an alien. The bill would grant her permanent residence in the United States.

There is attached a memorandum prepared by the Immigration and Naturalization Service of this Department setting forth the facts in the case.

The quota for Austria, to which the alien is chargeable, is oversubscribed and an immigration visa is not readily obtainable. Nuns, like aliens generally, are subject to the quota requirements of the immigration laws, their status differing from that of priests, rabbis, or ministers of any religious denomination, who are classed as nonquota immigrants under the immigration laws, and thus relieved of the quota requirements. In the absence of special legislation Sister Odilia will be unable to remain in the United States for an indefinite period.

Whether, under the circumstances in this case, the general provisions of the immigration laws should be waived presents a question of legislative policy concerning which this Department prefers not to make a recommendation.

Sincerely,

A. DEVITT VANECH,
Deputy Attorney General.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION
 SERVICE FILES RE SISTER ODILIA, ALSO KNOWN AS MARIA HUTTER, BENEFICIARY OF S. 1716

The alien is a Roman Catholic nun, native and citizen of Austria, who was born on October 25, 1913. She arrived in the United States at the port of Detroit, Mich., on January 27, 1949, and was admitted as a temporary visitor until April 30, 1949. She was granted extensions of her temporary stay until July 27, 1951. She stated that her purpose in coming to the United States was to become acquainted with American methods of hospital nursing.

The alien testified that she entered the religious order of the Sisters of the Divine Saviour, Rome, Italy, on January 20, 1937, that she graduated as a nurse in Rome in June 1941, that the mother house of the order is in Rome, and that one of the provincial houses is located in Milwaukee, Wis.

The alien has been residing and working as a nurse in the Divine Saviour Hospital in Portage, Wis., since August 1949.

Senator Alexander Wiley, the author of the bill, has submitted a number of affidavits and references in connection with the beneficiary of the bill, among which is the following affidavit:

AFFIDAVIT OF SISTER ODILIA, ALSO KNOWN AS MARIA HUTTER

STATE OF WISCONSIN,
Columbia County, ss:

Sister Odilia being first duly sworn, on oath deposes and says:

1. That she was born on October 25, 1913, in Thaur of Innsbruck, Austria, and is of Austrian nationality and citizenship, that she is a nun in the Order of the Sisters of the Divine Saviour, which owns and operates hospitals at Portage, Wausau, Columbus, and West Bend in the State of Wisconsin, and at Rome, Italy; that the hospital operated by said order at Wausau, Wis., is known as St. Mary's Hospital and the one operated at Portage, Wis., is known as Divine Saviour Hospital, and affiant is now taking training as a supervisor and in other nursing work in said hospital at Portage, Wis.

2. Affiant took 3 years of nurses training (1938-40) in Rome, Italy, at Santo Spirito Hospital and she received her diploma as a graduate nurse from said hospital at the conclusion of her said training.

3. Passport Series A, No. 022.262 was issued to affiant in Rome, Italy, on October 20, 1947, by the Austrian representatives there and it runs to her under the name of Maria Hutter, which is the name under which she was baptized and the name which she used until she entered said Order of Sisters of the Divine Saviour on January 20, 1937, at Rome, Italy, and thereupon she became known as Sister Odilia and has since been known and is now known by such name; that

in fact Sister Odilia and Maria Hutter are the same person and refer to this affiant. Affiant's said passport was originally valid until October 19, 1949, but has since been extended to December 11, 1951, by the Austrian consul general, New York, N. Y., and she is about to apply for a further extension of the same. When affiant came to the United States as aforesaid, she also had an Italian visa.

4. From the time of her birth up to the present time, she has resided in the following places:

(a) From birth until about 14 years old, she resided at Thaur of Innsbruck, Austria.

(b) From 14 years of age until 1937, she lived at Merano, Austria, which is now in Italy.

(c) From January 20, 1937, to January 1949, she resided in Italy and most of such time was in the mother house of such order of Sisters at Rome.

(d) Arrived at Detroit, Mich., on January 27, 1949, went from there to Milwaukee, Wis. and remained at the mother house of her said order for about 1 week and then went to St. Mary's Hospital at Wausau, Wis., where she took training in nursing methods for about 6 months.

(e) From August 1949 up to the present time, she has been and is now receiving further nurse's training at Divine Saviour Hospital at Portage, Wis.

5. Affiant traveled by TWA plane from Rome, Italy, to Detroit, Mich., and she was admitted to the United States at that place and her passport bears United States Department of Immigration and Naturalization Service stamp, "admitted January 27, 1949," and a certificate from the United States Department of Immigration registration issued to her at the time of her admission bears No. V 937594 and authorized her admission to May 30, 1949.

6. Interim extensions of affiant's said leave for temporary stay in the United States have been granted and the last extension runs to July 27, 1951, and was granted by Abraham Clegg, officer in charge of the United States Department of Justice, Immigration and Naturalization Service, Milwaukee, Wis., and is dated January 16, 1951, and bears the following caption:

"File No. 0935/7375 (3) 257 No. V 937594"

Within 30 days prior to July 27, 1951, affiant intends to apply to said Milwaukee, Wis., for an additional 6-month extension of her said temporary stay in the United States.

7. Affiant is desirous of remaining in the United States after completion of her training as a supervisor and her study of United States hospital methods, and is desirous of becoming a citizen of the United States by naturalization as soon as possible. Without reservation, affiant is in sympathy with the principles and form of the United States Government and can and will be loyal to it at all times. Affiant intends to continue as a sister in the Order of the Sisters of the Divine Saviour and to continue her work within such order as a nurse. She has learned to speak the English language quite fluently and well. She has not violated any law of the United States or any other country and has at no time been a supporter or member of the Communist Party, any Nazi Party or any other group or organization whose activities are regarded as subversive in the United States.

8. On April 27, 1951, affiant wrote the National Catholic Welfare Conference, of 1312 Massachusetts Avenue NW., Washington, D. C., asking for instructions as to how to obtain permanent residence and eventual United States citizenship. In reply, she received a letter, dated May 2, 1951, from Bruce M. Mohler, Director, N. C. W. C. Bureau of Immigration, of which a true and correct copy is hereto attached.

This affidavit is made in quadruplicate, in support of an application which has been made in affiant's behalf to have the Congress of the United States pass a private immigration bill or other legislation to permit affiant to accomplish the afore-mentioned purposes.

Sister ODILIA.
Sister ODILIA HUTTER.

Subscribed and sworn to before me this 31st day of May 1951.

[SEAL]

DOROTHY WALKER,
Notary Public, Columbia County, Wis.

My commission expires June 20, 1954.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1716) should be enacted.

